

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI

ERIC FIELDS,)	
)	
Plaintiff,)	
)	
v.)	
)	No. 4:15-cv-01707-CDP
THE BI-STATE DEVELOPMENT)	
AGENCY OF THE MISSOURI-ILLINOIS)	
METROPOLITAN DISTRICT d/b/a)	
"METRO",)	
)	
Defendant.)	

MOTION TO COMPEL

Comes now Plaintiff, Eric Fields, by and through his undersigned attorneys, Ronald A. Roth of the Roth Law Offices, LLC, and Christopher B. Hunter of Hunter & Johnson, P.C., and moves for an order compelling Defendant to answer the Interrogatories served on it March 7, 2016 and comply with the Request for Production served on it the same day. Said documents are attached hereto as Exhibits A and B.

Plaintiff so moves for the following reasons:

1. To date, no answer has been made and no objections interposed to either documents.
2. On March 31, 2016, the defense filed their Motion to Strike and Motion for Stay, which are attached hereto as Exhibits C and D. Plaintiff's counsel, Christopher Hunter, in an e-mail attached hereto as Exhibit E, requested a short extension of time to answer.
3. Over a month later and with the deadlines in the Case Management Order ticking, the undersigned contacted David Frenzia via the attached e-mail marked Exhibit F explaining that we needed to work out something with regard to answering these Interrogatories because Court deadlines were approaching and discovery needed to begin.

4. David Frenzia responded with the attached e-mail marked Exhibit G, saying in essence that his client did not want to do discovery.

5. The undersigned has practiced law for nearly 38 years. The undersigned has never heard that the fact that a particular party to a case does not want to do discovery is a legally sufficient excuse for actually not doing discovery. The undersigned believes the reason for not proceeding with discovery proffered by Mr. Frenzia is, therefore, insufficient.

6. Defendant has now had three months to answer these Interrogatories and comply with the Request for Production. The fact that they now do not want to answer them is not sufficient to prevent their being answered.

WHEREFORE, Plaintiff prays this Honorable Court enter an order requiring Defendant answer the Interrogatories and Request for Production sent March 7, 2016, within seven (7) days.

Respectfully submitted,

/s/Ronald A. Roth
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Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on June 6, 2016, I electronically filed Plaintiff's **Motion to Compel** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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